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EXAMINER

SWARTZ, JAMIE H

ART UNIT

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3694

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DELIVERY MODE

11/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/783,841	Applicant(s) MCGIFFIN ET AL.	
	Examiner JAMIE H. SWARTZ	Art Unit 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 21-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 8, 2008 has been entered.

Status of Claims

2. This action is in response to the amendment filed on September 8, 2008. Claims 8 and 21-23 are currently amended. No new claims have been added. Claims 1-10 and 21-25 are currently pending.

Response to Arguments

3. Applicant's arguments filed September 8, 2008 have been fully considered but they are not persuasive.

4. The applicant argues the 35 U.S.C. § 132 (a) rejection that states "assigning at least one of a plurality of participants also to a second account" by stating that the specification points to the teaching in ¶ 114. However, the examiner respectfully disagrees. ¶ 114 discloses "creating an account that reflects the complex business

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structures of some customers." Creating an account does not constitute a second account, this created account can be the first account. The paragraph goes on to talk about taking two companies accounts and merging them together to create an account. However, though the merging of account one with account two would create an account three the specification fails to teach that after account one and two merge that either accounts still exist, As they are now account three. ¶ 114 states that they organize "the members of a joint venture under a single account." There is no teaching of applicants having multiple accounts. Upon merging of the joint accounts there would exist only one account. The specification only teaches merging accounts, but fails to teach assigning only one participant of an account to a second account.

Specification

5. The amendment filed March 7, 2008 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Claims 1 and 6 teach assigning at least one of a plurality of participants of the first account also assigned to a second account. This feature is new. Neither the previous claims nor the specification teach having someone assigned to the first account and then assigned to a second account. This is new matter.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 1-10 and 21-25 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1 and 6 teach assigning at least one of a plurality of participants of the first account also assigned to a second account. The specification fails to teach assigning one individual from a first account to a second account while sustaining the first account. Thus this is new matter.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-10 and 21-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Regarding claims 1 and 6, the phrase "second account" renders the claim indefinite because it is unclear what the applicant means when stating second account. Is it a duplicate of the first account? Is it supplemental of the first account?

11. Regarding claims 8 and 21 the phrase "plurality of businesses" renders the claim indefinite because it is unclear what the applicant means when stating a plurality of businesses. How is the number of businesses counted? As shoe store may have a shoe selling business and a sock selling business but both may exist in the same store. Because a business can exist within a business it is unclear how the applicant is defining a plurality of businesses. How many businesses does a company like Oracle have?

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1, 3-10, 21-22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hele et al. (US 20020111835 A1) in view of University of Arizona (2001) in further view of Heise et al. (US 20030074229 A1) in further view of Atkins et al. (US 6240422 B1).

14. Regarding claim 1, Hele teaches managing an underwriting account for an insurance policy (¶ 5). Hele teaches establishing participants wherein a customer assigned to an account represents a participant (¶¶ 19-20, 25, 27, 43). Hele teaches

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assigning each participant to a first account (§§ 5-27, 43). Hele teaches storing data related to the plurality of participants to an account in a database comprising a data structure, said data structure comprising a customer entity class and an account entity class (§§ 42-46, 55, 59-60, 111, 146). Hele teaches wherein the customer entity class includes a plurality of customer entities that store data related to a participant (§§ 42-46, 55, 59-60, 111, 146). Hele teaches wherein the account entity class includes a plurality of account entries that store data related to the account (§§ 42-46, 55, 59-60, 111, 146). Hele teaches wherein at least one of the plurality of customer entries establishes a foreign key relationship with at least one of the plurality of account entities (§§ 25-27, 42-46, 55, 59-60, 111, 146). Hele teaches wherein at least one of the plurality of account entities establishes a foreign key relationship with at least one of the plurality of customer entities (§§ 42-46, 55, 59-60, 111, 146). Hele teaches providing an account level underwriting decision at an account level based upon data related to a participant assigned to the first account (§§ 27, 52, 81, 87). Hele teaches displaying data related to the account level underwriting decision (§§ 27, 52, 81, 87). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants (§§ 23). The use of having more than one participant in an life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the

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underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Hele does not specifically teach assigning an original participant to a second account. However, the University of Arizona teaches assigning at least one participant also to a second account (pg. 1-2). Hele teaches a life insurance account. The University of Arizona teaches supplemental accounts to insurance accounts. It would have been obvious to modify the techniques used in Hele to include the details of a second account being offered. Supplemental life insurance is extra coverage to supplement an actual policy. Sometimes the actual policy money may not be sufficient to meet all expenses. Thus supplemental life insurance gives extra financial security. Supplemental life insurance was well known in the art at the time of the invention. Hele suggests a data structure containing both a customer entity class and an account entity class but does not specifically state it. However, Atkins teaches data structure comprising a customer entity class and an account entity class (col. 5, line 54 – col. 6, line 49). The combination of Hele and Heise teaches the design, implementation, underwriting, and administration of benefit plans using advanced database technology. Atkins teaches database mapping within a customer database. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hele to include the terms of

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customer entity class and account entity class. A relationships processing computing system provides for the recording and extraction of data objects (entities) and for development data representing a queried relationship between data objects (entities). The set of entities and relationships may be expanded at any time during the life of the system without reprogramming or compiling computer code and without disrupting concurrent use of the system. Complex inquiries, normally requiring multiple nested queries, may be performed without code level programming. Thus naming different entities allows for greater functionality and flexibility when programming, reprogramming, and identifying data.

15. Regarding claim 3, Hele teaches establishing a plurality of insurance policies for a participant (§§ 5, 25, 46). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants assigned to an account (§§ 23). The use of having more than one participant in an life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting

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insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

16. Regarding claim 4, Hele teaches providing account level underwriting decision at an account level comprises providing an account level underwriting decision based upon business rules for an account (abstract, ¶ 5, 15, 19, 25, 46, 81-86).

17. Regarding claim 5, Hele teaches providing account level underwriting decisions decision at an account level comprises providing at least one account level underwriting decision based upon all insurance policies of the account, wherein all insurance policies of the first account comprise the plurality of insurance policies for each participant (¶ 25, 46, 52, 80-87). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants assigned to an account (¶ 23). The use of having more than one participant in an life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting

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insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Hele does not specifically teach assigning an original participant to a second account. However, the University of Arizona teaches assigning at least one participant also to a second account (pg. 1-2). Hele teaches a life insurance account. The University of Arizona teaches supplemental accounts to insurance accounts. It would have been obvious to modify the techniques used in Hele to include the details of a second account being offered. Supplemental life insurance is extra coverage to supplement an actual policy. Sometimes the actual policy money may not be sufficient to meet all expenses. Thus supplemental life insurance gives extra financial security. Supplemental life insurance was well known in the art at the time of the invention.

18. Regarding claim 6, Hele teaches managing an underwriting account for an insurance policy (§ 5). Hele teaches establishing a participant, wherein a customer assigned to an account represents a participant (§ 19-20, 25, 27, 43). Hele teaches assigning each participant to a first account (§ 5-27, 43). Hele teaches storing data related to the participants the first account in a database comprising a data structure, and said data structure comprising a customer entity class and an account entity class (§ 42-46, 55, 59-60, 111, 146). Hele teaches wherein the customer entity class includes a customer involvement entity class that comprises a plurality of customer involvement

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entities (§ 42-46, 55, 59-60, 111, 146). Hele teaches wherein the account entity class includes an account involvement entity class that comprises a plurality of account involvement entities (§ 42-46, 55, 59-60, 111, 146). Hele teaches wherein the at least one of the plurality of customer involvement entities establishes a foreign key relationship with at least one of the plurality of customer entities and at least one of the plurality of account entities (§ 42-46, 55, 59-60, 111, 146). Hele teaches wherein the plurality of customer involvement entities store data related to the participants (§ 42-46, 55, 59-60, 111, 146). Hele teaches wherein the plurality of account involvement entities store data related to the first account (§ 42-46, 55, 59-60, 111, 146). Hele teaches establishing business rules at an account level (abstract, § 5, 15, 19, 46, 81-86). Hele teaches providing an underwriting decision for an account based upon the business rule (abstract, § 5, 15, 19, 27, 46, 52, 81-87). Hele teaches displaying the data related to the underwriting decision (§ 27, 52, 81, 87). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants (§ 23). The use of having more than one participant in an life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting

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insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Hele does not specifically teach assigning an original participant to a second account. However, the University of Arizona teaches assigning at least one participant also to a second account (pg. 1-2). Hele teaches a life insurance account. The University of Arizona teaches supplemental accounts to insurance accounts. It would have been obvious to modify the techniques used in Hele to include the details of a second account being offered. Supplemental life insurance is extra coverage to supplement an actual policy. Sometimes the actual policy money may not be sufficient to meet all expenses. Thus supplemental life insurance gives extra financial security. Supplemental life insurance was well known in the art at the time of the invention. Hele suggests a data structure containing both a customer entity class and an account entity class but does not specifically state it. However, Atkins teaches data structure comprising a customer entity class and an account entity class (col. 5, line 54 – col. 6, line 49). The combination of Hele and Heise teaches the design, implementation, underwriting, and administration of benefit plans using advanced database technology. Atkins teaches database mapping within a customer database. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hele to include the terms of customer entity class and account entity class. A relationships processing computing system provides for the recording and extraction of data objects (entities) and for

development data representing a queried relationship between data objects (entities).

The set of entities and relationships may be expanded at any time during the life of the system without reprogramming or compiling computer code and without disrupting concurrent use of the system. Complex inquiries, normally requiring multiple nested queries, may be performed without code level programming. Thus naming different entities allows for greater functionality and flexibility when programming, reprogramming, and identifying data.

19. Regarding claim 7, Hele teaches determining potential risk exposure of the first account at a participant level (§§ 21, 25, 47-48, 61, 80, 94).

20. Regarding claim 9, Hele teaches wherein establishing a plurality of participants comprises establishing at least one of the participants having insurance policies (§§ 25, 46). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants assigned to an account (§§ 23). The use of having more than one participant in an life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of

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old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Hele does not specifically teach each participant having a plurality of insurance policies. However, the University of Arizona teaches a participant having a plurality of insurance policies (pg. 1-2). Hele teaches a life insurance account. The University of Arizona teaches supplemental accounts to insurance accounts. It would have been obvious to modify the techniques used in Hele to include the details of more than one account being offered. Supplemental life insurance is extra coverage to supplement an actual policy. Sometimes the actual policy money may not be sufficient to meet all expenses. Thus supplemental life insurance gives extra financial security. Supplemental life insurance was well known in the art at the time of the invention.

21. Regarding claim 10, Hele teaches wherein providing an underwriting decision for an account further comprises a step of providing an underwriting decision based upon the participants assigned to the first account (§§ 5-27, 46). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants assigned to an account (§§ 23). The use of having more than one participant in a life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall

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process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

22. Regarding claim 25, Hele teaches wherein the foreign key relationships with at least one of the plurality of account entities and with at least one of the plurality of customer entities are used to retrieve data to provide an account level underwriting decision at an account level for the first account based upon data related to the participants assigned to the first account (§§ 42-46, 55, 59-60, 111, 146). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants (§§ 23). The use of having more than one participant in a life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the

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art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Hele does not specifically teach assigning an original participant to a second account. However, the University of Arizona teaches assigning at least one participant also to a second account (pg. 1-2). Hele teaches a life insurance account. The University of Arizona teaches supplemental accounts to insurance accounts. It would have been obvious to modify the techniques used in Hele to include the details of a second account being offered. Supplemental life insurance is extra coverage to supplement an actual policy. Sometimes the actual policy money may not be sufficient to meet all expenses. Thus supplemental life insurance gives extra financial security. Supplemental life insurance was well known in the art at the time of the invention.

23. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hele et al. (US 20020111835 A1) in view of University of Arizona (2001) in further view of Heise et al. (US 20030074229 A1) in further view of Official Notice in further view of Atkins et al. (US 6240422 B1).

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24. Regarding claim 2, Hele teaches providing a participant level underwriting decision for each participant (§§ 5-27, 80-87). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants assigned to an account (§§ 23). The use of having more than one participant in an life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Official Notice is taken that it was also old and well known in the art for a company to offer benefit plans which include health insurance plans and life insurance plans. It is also well known in the art for the company to offer the plan to all their plurality of employees.

25. Claims 8 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hele et al. (US 20020111835 A1) in view of University of Arizona (2001) in further

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view of Heise et al. (US 20030074229 A1) in further view of Official Notice in further view of Atkins et al. (US 6240422 B1).

26. Regarding claim 8, Hele teaches wherein establishing a plurality of participants comprises establishing a participant comprising a plurality of business lines (§ 43, 55, 100). Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants assigned to an account (§ 23). The use of having more than one participant in a life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Neither Hele nor Heise specifically teach a customer with multiple businesses. However, Official Notice is taken that a customer who owns more than one business was well known in the art at the time of the invention. Companies have expanded to include more than one business within their

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business. For example Costco selling tires, salons selling shampoo, and grocery stores selling other merchants gift cards. The practice of a business having multiple businesses adds to customer service by adding that extra convenience. Subsidiaries have existed in the business industry. Subsidiaries are a common feature of business life and most if not all major businesses organize their operations in this way.

27. Regarding claim 21, Hele teaches determining potential risk exposure of the first account based on a first potential risk exposure and a second potential risk exposure for a first business line and a second business line, respectively, wherein the at least one participant having an insurance policies has a plurality of business lines including the first business line (§ 46-100). . Hele does not specifically each participant having a plurality of insurance policies. However, the University of Arizona teaches a participant having a plurality of insurance policies (pg. 1-2). Hele teaches a life insurance account. The University of Arizona teaches supplemental accounts to insurance accounts. It would have been obvious to modify the techniques used in Hele to include the details of more than one account being offered. Supplemental life insurance is extra coverage to supplement an actual policy. Sometimes the actual policy money may not be sufficient to meet all expenses. Thus supplemental life insurance gives extra financial security. Supplemental life insurance was well known in the art at the time of the invention. Neither Hele nor Heise specifically teach a customer with multiple businesses. However, Official Notice is taken that a customer who owns more than one business was well known in the art at the time of the invention. Companies have expanded to

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include more than one business within their business. For example Costco selling tires, salons selling shampoo, and grocery stores selling other merchants gift cards. The practice of a business having multiple businesses adds to customer service by adding that extra convenience. Subsidiaries have existed in the business industry. Subsidiaries are a common feature of business life and most if not all major businesses organize their operations in this way. Iteration is a combination of known elements. Each step or element performs the same in combination which leads to predictable results and a reasonable expectation of technical success.

28. Regarding claim 22, Hele teaches wherein the plurality of insurance policies of the one participant having insurance policies does not include a policy for the first business line (§ 46-100). Hele does not specifically each participant having a plurality of insurance policies. However, the University of Arizona teaches a participant having a plurality of insurance policies (pg. 1-2). Hele teaches a life insurance account. The University of Arizona teaches supplemental accounts to insurance accounts. It would have been obvious to modify the techniques used in Hele to include the details of more than one account being offered. Supplemental life insurance is extra coverage to supplement an actual policy. Sometimes the actual policy money may not be sufficient to meet all expenses. Thus supplemental life insurance gives extra financial security. Supplemental life insurance was well known in the art at the time of the invention.

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29. Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hele et al. (US 20020111835 A1) in view of University of Arizona (2001) in further view of Heise et al. (US 20030074229 A1) in further view of Perusse (1998) in further view of Official Notice in further view of Atkins et al. (US 6240422 B1).

30. Regarding claim 23, Hele teaches identifying at least one participant assigned to a first account. Hele does not specifically teach that the first participant was a former member of a second account (§ 46-100). However, Perusse teaches a former participant of an account, wherein the former participant is no longer assigned to the account, and wherein the former participant of the account comprises the second business line (pg. 1-4). Hele teaches insurance policies and changing coverage over time. Perusse teaches changing insurance companies. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hele to include the details of changing insurance policies. Changing insurance policies was old and well known in the art at the time of the invention. People change insurance policies do to coverage, marriage, birth, new homes, new job, and etc. It would be obvious to one of ordinary skill in the art that a former participant who changes insurance plans is not a current participant. Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants (§ 23). The use of having more than one participant in an life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design,

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implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Hele does not specifically teach a second account. However, the University of Arizona teaches assigning at least one participant also to a second account (pg. 1-2). Hele teaches a life insurance account. The University of Arizona teaches supplemental accounts to insurance accounts. It would have been obvious to modify the techniques used in Hele to include the details of a second account being offered. Supplemental life insurance is extra coverage to supplement an actual policy. Sometimes the actual policy money may not be sufficient to meet all expenses. Thus supplemental life insurance gives extra financial security. Supplemental life insurance was well known in the art at the time of the invention.

31. Regarding claim 24, Hele teaches wherein providing an underwriting decision for an account comprises providing an underwriting decision based upon the participants (¶ 46-100). However, Perusse teaches a former participant of the first account who is no longer assigned to the first account (pg. 1-4). Hele teaches insurance policies and

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changing coverage over time. Perusse teaches changing insurance companies. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hele to include the details of changing insurance policies. Changing insurance policies was old and well known in the art at the time of the invention. People change insurance policies do to coverage, marriage, birth, new homes, new job, and etc. It would be obvious to one of ordinary skill in the art that a former participant who changes insurance plans is not a current participant. Hele does not specifically state a plurality of participants. However, Heise teaches a plurality of participants (§ 23). The use of having more than one participant in an life insurance underwriting account was old and well known in the art at the time of the invention especially in reference to company benefit plans. Hele teaches an overall process for underwriting insurance. Heise teaches the design, implementation, underwriting, and administration of benefit plans. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the underwriting insurance system of Hele the ability to offer the underwriting to a plurality of participants as taught by Heise since the claimed invention is merely a combination of old elements, and in the combination of a process for underwriting insurance for an individual combined with the processes of underwriting insurance for a more than one would have performed the same function as it did on its own because they involve the same content, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

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32. Examiner's Note: The Examiner has cited particular columns and line numbers in the references as applied to the claims for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner. The examiner would also like to note that because the specification includes details regarding the merging of accounts from two separate accounts into one account this is taught by Application 2004/0010462 Moon.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMIE H. SWARTZ whose telephone number is (571)272-7363. The examiner can normally be reached on 8:00am-4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. H. S./

Examiner, Art Unit 3694

/James P Trammell/

Supervisory Patent Examiner, Art Unit 3694